

April 20, 2006

State of California Air Resources Board  
California Environmental Protection Agency  
1001 I Street, 1<sup>st</sup> Floor  
Environmental Services Center  
Sacramento, CA 95814

Subject: Emission Reduction Plan for Ports and International Goods Movement in California as Revised; April 20, 2006 ARB Public Meeting

Attachments: "Comments on CARB Emission Reduction Plan for Ports and International Goods Movement in California as Revised for Public Comment at April 20, 2006 Public Meeting; (from the) Port of Los Angeles Port Community Advisory Committee Air Quality Subcommittee"

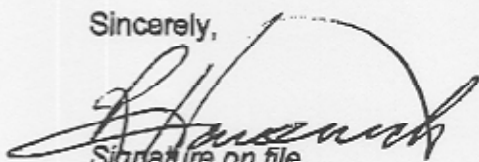
To whom it may concern,

We appreciate the efforts of Air Resources Board staff to respond to many of the comments we provided in our February 20, 2006 letter and respectfully submit the attached General Comments stating our concerns and recommendations applicable to the revised Plan as finalized and agreed by the Subcommittee on April 19, 2006. Please note the following summary recommendations and comments:

- We strongly encourage the Board to approve the Plan with specific direction to Board staff to return an update within a period of months that addresses our concerns and recommendations.
- We recognize and appreciate that the revised Plan is greatly strengthened in technical analysis, added important strategies for On Road Trucks, and recognizes off port impacts representing a cumulative backlog of environmental impact.
- The Plan requires revision to include immediate and effective action for reduction of emissions from Ocean Going Vessels. We requested previously that the Plan include a strategy to phase in the use of distillate in propulsion engines in coastal waters and we recognize that the revised Plan includes a statement that ARB is evaluating such an approach for main engine fuels. We respectfully request that staff be directed to complete the fuels evaluation, report back to the Board in a short period of months, and begin implementation of a fuels strategy as soon as possible to require the use of very low sulfur distillate.
- Revision is required to include the specific actions that will achieve the Plan's goal to "ensure sufficient localized risk reduction in each affected community." We are concerned that risk reduction in our communities will not be reduced as much compared to the statewide populations because of the influence of the Ports.

Thank you for your attention to the health of the people who suffer from pollution related to the goods movement industry. Please let me know if I or other members of the PCAC Air Quality Subcommittee can be of any assistance in your efforts.

Sincerely,



Signature on file

Richard Havenick

Chair, Air Quality Subcommittee of the Port Community Advisory Committee

3707 Parker Street

San Pedro, CA 90731

Copies to: Dr. Ralph Appy, Director Environmental Management, Port of Los Angeles; Board of Harbor Commissioners for the Port of Los Angeles; Port Community Advisory Committee Members for the Port of Los Angeles; Jayme Wilson, Chair, Port Community Advisory Committee for the Port of Los Angeles

**Comments on CARB Emission Reduction Plan for Ports and International Goods Movement in California as revised for Public Comment at April 20, 2006 Public Meeting**

**Port of Los Angeles Port Community Advisory Committee Air Quality Subcommittee**

**General Comments:**

We appreciate the efforts of Air Resources Board staff to respond to many of the comments on the draft plan that we provided in our letter of February 20, 2006. The revised plan is greatly strengthened in technical analysis and, most importantly, has added important strategies for reducing the entire fleet of older trucks in California and modernizing port trucks. We strongly encourage the Board to approve the plan but with a direction to Board staff to return to the Board with a plan update within several months that addresses the following major concerns of our Subcommittee.

1. It is commendable that the plan now achieves an 86% reduction in the statewide health risk from exposure to diesel PM by 2020. Clearly, this improvement in risk reduction is to some degree a result of the new truck strategies in the plan; however, we are concerned that a substantial amount of this improvement may be simply due to the fact that domestic goods movement is now part of the universe of the plan and the dominance of truck emissions in this sector may be overstating real improvement in risk reduction compared to the draft plan.
2. Most importantly, as members of port communities, we are concerned that risk reduction in our communities will not be reduced as much compared to the statewide populations because of the influence of the unique sources of ocean going vessels, harbor craft and cargo handling equipment. Our concern is heightened by the fact that the plan continues to be completely silent on achieving the fourth goal of the plan to "Ensure sufficient localized risk reduction in each affected community." The plan clearly recognizes that even with application of its measures, 1700 statewide deaths due to ports and goods movement will still occur in 2020. Our concern is that the majority of these deaths may be occurring in port communities.
3. We recognize and support the statements applicable to off-port impacts representing a cumulative backlog of environmental impact. We hope the ARB's recognition of the cumulative environmental impact in the communities affected by port activity will be communicated to other regulatory and State agencies.
4. We recommend that ARB implement policy action to preclude the application of Overriding Considerations for significant environmental impacts during environmental review conducted under the California Environmental Quality Act. For significant environmental impact identified in environmental review, only specific mitigation action should be required to address the identified impact. The health of the public is not negotiable for economic gain to any entity.



5. Health effects resulting in Emergency Room visits are under-estimated in the Plan as determined by our Subcommittee members and other health authorities.
6. While applauding the strategies for other source categories, we are deeply concerned that more needs to be done faster for ocean going vessel propulsion engines. Throughout the plan, the problem of OGV emissions is repeatedly identified:

Page 38: "But the **very minimal controls on ships**, and the anticipated increase in international cargo, will reverse our emission reduction progress without significant new strategies. To meet our health goals, we must do much more, much faster."

Page 14: "The vast majority of the decrease in goods movement NOx emissions between 2001 and 2020 is caused by projected reductions in truck emissions. At the same time, NOx emissions from ocean-going ships are projected to **increase dramatically**."

Page 20: "Again, emissions from ships are projected to increase due to the **lack of effective controls**, while emissions from most other categories are projected to decrease as adopted regulations are implemented"

Page 123, Table IV-2: While other categories have risk reduction percentages ranging from 48% to 94%, the risk reduction from Ships-Underway is **only 2%**.

Clearly, OGV emissions must be addressed more aggressively than is laid out in the plan. In our comments on the draft plan, we specifically requested that CARB include a strategy (using a SECA or direct CARB rulemaking) that requires phasing in the use of distillate in propulsion engines in coastal waters. A recommended approach would be to require the use of MDO <1.5% in the very near term, MDO <0.5% by 2007-8 and MGO <0.1-0.2% by 2009-10. This would parallel the requirements recently adopted by CARB for auxiliary engines. Unfortunately, the revised CARB plan maintains a strategy of only requiring 0.5% ppm by 2015.

Based on new information received by our Subcommittee, we believe that the majority of ocean going vessels, including recent ships designed to run completely on bunker, could switch to distillate upon entering the coastal waters. According to this source, most, if not all, OGV currently carry enough MDO for fuel switching for maintenance periods and other requirements. These vessels are currently plumbed for fuel switching, which would minimize retrofitting, and their engines are not mechanically damaged or impaired by the switching.

The revised plan does include a statement that "ARB evaluating (sic) such an approach for main engine fuels, and will develop it for the Board's consideration if we determine that it would be the most effective path to quickly reduce diesel PM, NOx, and SOx emissions". We appreciate this comment, but respectfully request that staff be directed to complete this evaluation, report back to the Board within in the next few months and begin implementation of a strategy as soon as possible to require the use of very low sulfur distillate.

Thank you for the opportunity to comment on this plan. We appreciate the dedicated efforts of the Air Resources Board to adopt a plan to reduce emissions from ports and goods movement in California. Such a plan is critical to reducing the health risk of all California citizens and, in particular, the citizens in port communities.

Please refer to cover letter (same subject) for summary comments.